

महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६  
बृहन्मुंबई महानगरपालिकेच्या विकास नियंत्रण  
नि. सवलीमध्ये कलम ३७(२) नुसार फेरबदलाची  
अधिसूचना.

महाराष्ट्र शासन,  
नगर विकास विभाग,  
शासन निर्णय क्रमांक: टिपीबी-४३०२/१३१८/प्र.क्र.२३/०३/नवि-११  
मंत्रालय, मुंबई : ४०० ०३२, दिनांक: ५ जुलै, २००५

शासन निर्णय:- सोबतची अधिसूचना महाराष्ट्र शासनाचे साधारण राजपत्रात तात्काळ प्रसिध्द करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नांवाने,

  
( स. रा. किणी )

अवर सचिव, महाराष्ट्र शासन.

प्रति,

आयुक्त, बृहन्मुंबई महानगरपालिका, मुंबई  
महानगर आयुक्त, मुंबई महानगर प्रदेश विकास प्राधिकरण, बांद्रा-कुर्ला संकुल, मुंबई.  
मुख्य कार्यकारी अधिकारी, झोपडपट्टी पुनर्वसन प्राधिकरण, गृहनिर्माण भवन, बांद्रा (पूर्व),  
मुंबई ४०० ०५१.

जिल्हाधिकारी, मुंबई शहर, मुंबई.

संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे.

उपसंचालक, नगर रचना, बृहन्मुंबई, इन्साइटमेंट आझाद मैदान, मुंबई

मुख्य अभियंता (विकास नियोजन), बृहन्मुंबई महानगरपालिका, मुंबई.

व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नीरोड, मुंबई.

(त्यांना विनंती करण्यात येते की, सोबतची अधिसूचना महाराष्ट्र शासनाचे साधारण राजपत्रात भाग-१ मध्ये प्रसिध्द करण्यात येवून त्याच्या प्रत्येकी २५ प्रती या विभागास व उप संचालक, नगर रचना, बृहन्मुंबई यांना पाठविण्यात याव्यात.)

कर्म अधिकारी (नवि-३), नगर विकास विभाग, मंत्रालय, मुंबई ४०० ०३२.

(त्यांना विनंती करण्यात येते की, सोबतची अधिसूचना विभागाच्या वेबसाईटवर प्रदर्शित करण्याबाबत आवश्यक ती कार्यवाही करावी)

निवडनस्ती (नवि-११).

**Maharashtra Regional &  
Town Planning Act, 1966.  
Sanction to modification  
under section 37(2) of the ...  
Modifications to Regulation  
29(8)(ii) of Development  
Control Regulation for Gr.  
Mumbai 1991.**

**GOVERNMENT OF MAHARASHTRA  
Urban Development Department  
Mantralaya, Mumbai 400 032.  
Date: 5<sup>th</sup> July, 2005.**

**NOTIFICATION**

No. TPB 4302/1318/CR-23/03/UD-11:

Whereas, Government of Maharashtra vide Notification of Urban Development Department No. DCR 1090/RDP/UD-11, dated 20<sup>th</sup> February, 1991 has sanctioned the Development Control Regulations for Gr. Mumbai, 1991 (hereinafter referred to as "the said Regulations") under section 31 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") which came into force with effect from 25<sup>th</sup> March, 1991;

And whereas, the permission for construction of building on land adjoining the railway track is invariably given by the Local Body concerned viz., Corporation, Municipal Council as the case may be. Any work being undertaken in the proximity of the railway track can have serious effect on the safety of the track, it is felt necessary that "No Objection Certificate" be obtained from the Railway Authority before the Local Authority grants permission to the construction of such building. In this regard, it is desirable that a vacant space of 30 mt. be kept between the Railway Boundary and the face of any construction.

And whereas, the Government of Maharashtra in Urban Development Department, vide order No. TPB 4302/1318/CR-23/2003/UD-11, dated 23/5/2003 has directed Municipal Corporation of Gr. Mumbai (hereinafter referred to as "the said Corporation") to amend the relevant provisions in D.C. Regulations by following the procedure laid-down under section 37 of the said Act, so as to insist NOC from concerned Railway Authorities before granting permission for the buildings within a distance of 30 mt. from Railway boundary;

And whereas, the Government of Maharashtra has further directed under section 154 of the said Act to insist such NOC from Railway Authorities, pending modification to development control regulations;

And whereas, the said Corporation has been empowered to initiate the modification of any part of or any proposal made in the final Development Plan under the provisions of sub-section (1) of section 37 of the said Act and submit the same to the Govt. for final sanction;

And whereas, The said Corporation after completing the legal procedure laid under section 37 of the said Act has initiated modification proposal and accordingly submitted the modification proposal to the Govt. for final sanction vide its letter No. CHE/GEN-346/DPC/GEN dated 8<sup>th</sup> October, 2004;

And whereas, after consulting the Director of Town Planning, Maharashtra State, Pune, Govt. find it necessary to sanction the said modification proposal;

Now, therefore, in exercise of the powers vested under section 37(2) of the said Act Govt. hereby -

A) sanctions the modification proposal as described below:

**Modification to Regulation No.29(8)(ii) - Building sites situated within 30 mt. from railway boundary :**

No objection certificate from the concerned railway shall be insisted before granting permission for the building plans between the Railway boundary and the distance of 30 mt. from it. The development of such plot shall be carried out as per terms and conditions stipulated by the Railway Authority.

- B) fixes the date of publication of this notification in the official gazette as the date of coming into force of this proposal.
- C) Directs the said Corporation in the schedule of modification sanctioning the said modification appended to the said notification after the last entry, the above referred (A) shall be added.

By order and in the name of the Governor of Maharashtra,

  
(S.R. Kini)

Under Secretary to Government.

**Note:-** This notification is also available on Government web site [www.urban.maharashtra.gov.in](http://www.urban.maharashtra.gov.in)